


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ELIJAH PIERRE	:	: CIVIL ACTION
	:	
v.	:	: NO. 20-5881
	:	
WOODS SERVICES, INC.	:	

ORDER

AND NOW, this 11th day of January 2021, upon considering Defendant's Motion for partial dismissal (ECF Doc. No. 4), Plaintiff's untimely Response (ECF Doc. No. 7), following oral argument where Plaintiff confirmed withdrawing his claim for interference under the Family and Medical Leave Act and he did not plead causation for his common law retaliation claim, and for reasons in the accompanying Memorandum, is it **ORDERED** Defendant's Motion to partially dismiss (ECF Doc. No. 4) is **GRANTED in part** and **DENIED in part**:

1. We **GRANT** Defendant's Motion to dismiss Plaintiff's interference claim under Family and Medical Leave Act upon consent;
2. We **GRANT** Defendant's Motion to dismiss the common law retaliation claim without prejudice to Plaintiff amending consistent with Fed. R. Civ. P. 11 under our January 8, 2021 Order (ECF Doc. No. 9); and,
3. We **DENY** Defendant's Motion to dismiss Plaintiff's retaliation claim under the Family and Medical Leave Act and Defendant shall file an Answer no later than **January 25, 2021**.



KEARNEY, J.